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APR 20 2009

Honorable Benjamin H. Settle

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3 APR 16 2009 RE
4 AT SEATTLE
5 CLERK U.S. DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 DEPUTY
8 BY

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10 RECEIVED

11 APR 22 2009

12 CLERK U.S. DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON AT TACOMA
14 DEPUTY
15 BY

16 UNITED STATES DISTRICT COURT
17 WESTERN DISTRICT OF WASHINGTON
18 AT TACOMA

19 UNDER SEAL,

20 Plaintiff,
21 v.

22 No. C07-0248-BHS

23 UNDER SEAL,

24 Defendants.

25 UNDER SEAL



26 07-CV-00248-ORD

27 UNITED STATES ATTORNEY
28 700 STEWART STREET, SUITE 5220
29 SEATTLE, WASHINGTON 98101-1271
30 (206) 553-7970

1 Honorable Benjamin H. Settle
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 UNITED STATES OF AMERICA,
14 *ex rel.* MARSHALL S. HORWITZ, M.D.,

15 Plaintiff,
16 v.

No. C07-0248-BHS

17 AMGEN, INC. and DAVID C. DALE,
18 Defendants.

UNDER SEAL

19 **ORDER**

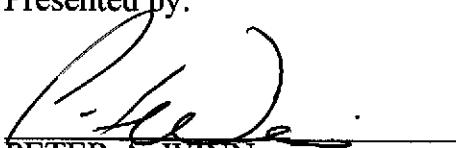
20 The United States has filed an *Ex Parte* Motion for an Extension of time to Consider
21 Election to Intervene, in which the government seeks a six (6) month extension of time, from
22 April 17, 2009, up to and including October 17, 2009, in which to notify the Court whether it
23 intends to intervene in this *qui tam* lawsuit. Such an extension of time is expressly
24 contemplated by the False Claims Act, which provides that the United States “may, for good
25 cause shown move the Court for extensions of time. . . .” 13 U.S.C. § 3730(b)(3). The Court
finds that such good cause exists here.

26 Accordingly, it is hereby ORDERED that the United States shall have from April 17,
27 2009, to October 17, 2009, to notify the Court of its decision whether or not to intervene in this
28 *qui tam* action. The Clerk shall otherwise maintain the Complaint and other filings under seal

1 for the duration of the government's investigation, unless otherwise ordered by the Court.
2 DATED this 21 day of April, 2008.

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10 BENJAMIN H. SETTLE
11 United States District Judge
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Presented by:


10 PETER A. WINN
11 Assistant United States Attorney
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